

Town of Frederick Board of Trustees



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AM 2009-073


REQUEST TO CONSIDER EXTENDING THE APPROVAL OF THE WATERS EDGE SUBDIVISION PRELIMINARY PLAT

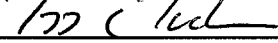
Agenda Date: Town Board Meeting: August 11, 2009

Attachments:

- a. Applicant's request
- b. Resolution 08R051
- c. Resolution modifying Resolution 08R051

Fiscal Note: None noted or provided Fiscal note


Finance Director

Submitted by: 
Todd Tucker, Staff Planner

Approved for Presentation: 
Derek Todd, Town Administrator

AV Use Anticipated Projector ☐ Yes ☐ Laptop ☐ Yes ☐

Certification of Board Approval:

Nanette Fornof, Town Clerk

Date

Summary Statement: On August 12, 2008, the Board approved the applicant's request for approval to zone the property, create a PUD Overlay establishing development parameters for the development of the site, and Sketch Plan / Preliminary Plat the 89.9 acre site located west of Milavec Lake (see resolution 08R051).

The approved development involves 364 dwelling units including 44 single family lots and 320 patio homes / town-home / multi-family land uses, and a commercial area. The density for the R-1 zone is proposed at 2.25 dwellings per acre, and 6.06 Dwellings per acre in the R-2 Zone. The applicant has also proposed 17 acres of commercial land for development.

The application was considered by the Planning Commission on July 15, 2008 and the Board of Trustees on August 12, 2008. The application was approved by the Board of Trustees subject to

conditions as outlined in resolution 08R061. However, preliminary plats are valid only for one year. Therefore, the applicant requests an extension to allow for completion of the engineering required for final plat, as well as to account for market conditions.

Applicant: Pine Needle Development / Marx Properties

Agent: Jim Sell, Jim Sell Design

Owner: Marx Properties

Surrounding Zoning / Land Uses: The proposed development encompasses 89.9 acres in the east half of Section 24, T2N, R68W. The specific neighboring land uses and zoning are:

North	Town of Frederick, zoned R-1 (Fox Run and Moore Farm)
South	Weld County, zoned Agricultural (large lot residential)
East	Town of Frederick, zoned P, (Milavec Lake)
West	Town of Frederick, zoned R-1 (Summit View) and Weld County Agricultural zoning with residential uses

Criteria: Section 4.7.4.c of the Land Use Code states *"Approval and conditional approval of a preliminary plat shall be effective for one (1) year unless otherwise approved by the Board of Trustees."*

"If a final plat is not submitted within said time limit or an extension has not been granted, a preliminary plat must again be submitted before action may be taken on a final plat."

The applicant requests an extension of the approval of one year for the preliminary plat as engineering tasks are not complete, current market conditions are resulting in slow housing growth, and lending guidelines are proving challenging (see attached).

Legal/Political Considerations:

None noted.

Alternatives/Options: The Board of Trustees may consider several options regarding the request including the following:

- ☐ Approve the request finding that it is substantially in conformance with the provisions of the Land Use Code and Comprehensive Plan;
- ☐ Deny the request finding that the request does not substantially achieve conformance with the provisions of the Land Use Code and Comprehensive Plan;
- ☐ Approve the request finding that it would be substantially in conformance with the provisions of the Land Use Code and Comprehensive Plan if certain conditions are met;

Financial Considerations: None noted.

Staff Recommendation: Staff recommends approval of the request to extend the approval of the Sketch Plan / Preliminary Plat and Preliminary Development Plan for one year, subject to the original conditions.